

PATENT COOPERATION TREATY

internationaal bureau rapport
rapporteur en client
16-3-'05
indien gewijzigd conclusies bij WIPO:
PCT 16-4-'05

From the INTERNATIONAL SEARCHING AUTHORITY

To:
NEDERLANDSCH OCTROOIBUREAU
 Attn. Van Westenbrugge, A.
 Scheveningseweg 82
 P.O. Box 29720
 NL-2502 LS The Hague
 NETHERLANDS

**NOTIFICATION OF TRANSMITTAL OF
 THE INTERNATIONAL SEARCH REPORT AND
 THE WRITTEN OPINION OF THE INTERNATIONAL
 SEARCHING AUTHORITY OF 2005 DECLARATION**

Paraaf bewaarder

(PCT Rule 44.1)

AME

Date of mailing
 (day/month/year)

16/02/2005

Applicant's or agent's file reference

P206294 PCT

FOR FURTHER ACTION

See paragraphs 1 and 4 below

International application No.

PCT/NL2004/000208

International filing date
 (day/month/year)

26/03/2004

Applicant

FUJI PHOTO FILM B.V.

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the international search report; however, for more details, see the notes on the accompanying sheet.

Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
 1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. Reminders

Shortly after the expiration of 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.


The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within 19 months from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later); otherwise, the applicant must, within 20 months from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of 30 months (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the International Searching Authority

 European Patent Office, P.B. 5818 Patentlaan 2
 NL-2280 HV Rijswijk
 Tel. (+31-70) 340-2040, Tx. 51 651 epo nl,
 Fax: (+31-70) 340-3016

Authorized officer

Tanja Rührmund

NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the *PCT Applicant's Guide*, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report and the written opinion of the International Searching Authority, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only (see *PCT Applicant's Guide*, Annexes B1 and B2).

The attention of the applicant is drawn to the fact that amendments to the claims under Article 19 are not allowed where the International Searching Authority has declared, under Article 17(2), that no international search report would be established (see *PCT Applicant's Guide*, Volume IA, paragraph 296).

What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 45.1).

Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

What documents must/may accompany the amendments?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference P206294 PCT	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/NL2004/000208	International filing date (day/month/year) 26/03/2004	(Earliest) Priority Date (day/month/year) 28/03/2003
Applicant FUJI PHOTO FILM B.V.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 6 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. ☒ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. ☐ Certain claims were found unsearchable (See Box II).

3. ☒ Unity of invention is lacking (see Box III).

4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

a. the figure of the drawings to be published with the abstract is Figure No. _____

☐ as suggested by the applicant.

☐ as selected by this Authority, because the applicant failed to suggest a figure.

☐ as selected by this Authority, because this figure better characterizes the invention.

b. ☐ none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/NL2004/000208

Box No. 1 Nucleotide and/or amino acid sequence(s) (Continuation of Item 1.b of the first sheet)

1. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, the international search was carried out on the basis of:

a. type of material

☒

a sequence listing

☐

table(s) related to the sequence listing

b. format of material

☒

in written format

☒

in computer readable form

c. time of filing/furnishing

☒

contained in the international application as filed

☐

filed together with the international application in computer readable form

☒

furnished subsequently to this Authority for the purpose of search

2. ☒ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

3. Additional comments:

INTERNATIONAL SEARCH REPORT

Intern. Application No.
PCT/NL2004/000208

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 C07K14/78 C12N5/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 C07K C12N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the International search (name of data base and, where practical, search terms used)
EPO-Internal, WPI Data, PAJ, BIOSIS, EMBASE, Sequence Search

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 6 140 072 A (CAPPELLO JOSEPH ET AL) 31 October 2000 (2000-10-31) SEQ ID NO:66 column 36, line 1 - column 41, line 52 -----	1-9,15
X	WO 98/18918 A (COMMW SCIENT IND RES O) 7 May 1998 (1998-05-07) page 4, line 35 - page 6, line 15 page 25, line 22 - line 30 -----	1-9,15
A	WO 02/064625 A (ADP PHARMACEUTICA) 22 August 2002 (2002-08-22) SEQ ID NO:22 page 73, line 12 - line 22 ----- -/--	1-11,14, 15

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
- "&" document member of the same patent family

Date of the actual completion of the international search

21 September 2004

Date of mailing of the international search report

16. 02. 2005

Name and mailing address of the ISA
European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Schönwasser, D

INTERNATIONAL SEARCH REPORT

Intern i Application No
PCT/NL2004/000208

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>WIERZBA A ET AL.: "PRODUCTION AND PROPERTIES OF A BIFUNCTIONAL FUSION PROTEIN THAT MEDIATES ATTACHMENT OF VERO CELLS TO CELLULOSIC MATRICES" BIOTECHNOLOGY AND BIOENGINEERING. INCLUDING: SYMPOSIUM BIOTECHNOLOGY IN ENERGY PRODUCTION AND CONSERVATION, JOHN WILEY & SONS. NEW YORK, US, vol. 47, 20 July 1995 (1995-07-20), pages 147-154, XP002023829 ISSN: 0006-3592 the whole document</p> <p>-----</p>	<p>1-11,14, 15</p>

INTERNATIONAL SEARCH REPORT

International application No.
PCT/NL2004/000208

Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

1-11, 14, 15 completely

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-11,14,15 (completely)

A cell support comprising RGD-enriched gelatine, whereby said gelatine contains at least 0.4% RGD motifs and if said gelatine comprises 350 amino acids or more, each stretch of 350 amino acids contains at least one RGD motif.

2. claims: 12,13 (completely)

An RGD-enriched gelatine, whereby said gelatine contains at least 0.4% RGD motifs and if said gelatine comprises 350 amino acids or more, each stretch of 350 amino acids contains at least one RGD motif and said gelatine consists for at least 80% of one or more parts of native human collagen sequences and said parts of native human collagen sequences have a length of at least 30 amino acids.

3. claim: 16

Use of an RGD- enriched gelatine as a component of drug delivery systems.

4. claim: 17

Use of an RGD- enriched gelatine as a component for inhibition of cancer metastasis.

5. claim: 18

Use of an RGD- enriched gelatine as a component of prevention of platelet aggregation.

6. claim: 19

Use of an RGD- enriched gelatine as a component after surgery to prevent tissue adhesion.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/NL2004/000208

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 6140072	A	31-10-2000	US 5514581 A 07-05-1996
			US 5243038 A 07-09-1993
			US 5723588 A 03-03-1998
			US 5641648 A 24-06-1997
			US 5606019 A 25-02-1997
			US 6184348 B1 06-02-2001
			US 5773249 A 30-06-1998
			US 5830713 A 03-11-1998
			US 5496712 A 05-03-1996
			AT 161879 T 15-01-1998
			AU 630643 B2 05-11-1992
			AU 4642589 A 28-05-1990
			DE 68928532 D1 12-02-1998
			DE 68928532 T2 28-05-1998
			DK 163690 A 07-09-1990
			EP 0406357 A1 09-01-1991
			FI 101706 B1 14-08-1998
			JP 3502935 T 04-07-1991
			JP 3338441 B2 28-10-2002
			KR 176966 B1 01-04-1999
			NO 903025 A ,B, 04-09-1990
			WO 9005177 A1 17-05-1990
			US 2003083464 A1 01-05-2003
			US 6355776 B1 12-03-2002
			US 5770697 A 23-06-1998
			US 6018030 A 25-01-2000
			AT 233273 T 15-03-2003
			AU 612340 B2 11-07-1991
			AU 1052888 A 01-06-1988
			DE 3752363 D1 03-04-2003
			DE 3752363 T2 19-02-2004
			DK 369788 A 01-07-1988
			EP 0293443 A1 07-12-1988
			FI 883082 A 28-06-1988
			JP 3250968 B2 28-01-2002
			JP 10014586 A 20-01-1998
			JP 2000135092 A 16-05-2000
			JP 1501755 T 22-06-1989
			NO 882946 A 31-08-1988
			NZ 222450 A 26-09-1990
			WO 8803533 A1 19-05-1988
WO 9818918	A	07-05-1998	AU 4693597 A 22-05-1998
			WO 9818918 A1 07-05-1998
			CA 2269801 A1 07-05-1998
			EP 0950098 A1 20-10-1999
			JP 2001502548 T 27-02-2001
			US 2003064436 A1 03-04-2003
			US 6451557 B1 17-09-2002
WO 02064625	A	22-08-2002	WO 02064625 A1 22-08-2002
			CA 2440743 A1 22-08-2002
			EP 1370579 A1 17-12-2003
			JP 2004537274 T 16-12-2004
			NO 20033624 A 10-10-2003
			US 2004157329 A1 12-08-2004